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13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
 15 **SAN FRANCISCO DIVISION**

16 DON C. BENNETT, COMERLIS
 17 DELANEY, GARY ROBINSON, DARREN
 SCOTT, JON HOTZLER, and PATRICK
 18 NICASSIO, on behalf of themselves and all
 others similarly situated,

19 Plaintiffs,

20 v.

21 SIMPLEXGRINNELL, LP,

22 Defendant.

Case No. 11-1854 JST (NJV)

**STIPULATION AND [PROPOSED] ORDER
FOR EXTENSION OF DEADLINE TO
RESPOND TO COMPLAINT**

Complaint Filed: April 18, 2011
 First Amended

Complaint Filed: June 27, 2011

Second Amended

Complaint Filed: June 26, 2012

Third Amended

Complaint Filed: July 17, 2013

Trial Date: None Set
 Judge: Honorable Jon S. Tigar

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1 WHEREAS, on July 17, 2013, Plaintiffs filed the Third Amended Complaint;

2 WHEREAS, due to vacation schedules and other considerations, SimplexGrinnell is unable
3 to respond to the Complaint by the July 31, 2013 deadline established by the Federal Rules of Civil
4 Procedure;

5 And WHEREAS the Parties have met and conferred, and Plaintiffs have consented to an
6 extension of SimplexGrinnell's deadline to Monday, August 5, 2013;

7 IT IS THEREFORE STIPULATED AND AGREED AS FOLLOWS:

8 1. Upon the approval of the Court, SimplexGrinnell's deadline to respond to the Third
9 Amended Complaint, filed on July 17, 2013, shall be August 5, 2013.

10 Dated: July 31, 2013

Respectfully submitted,

11 By: /s/ Bruce Menken

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28 *Attorneys for Plaintiffs and Proposed Class*

1 Dated: July 31, 2013
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3 By: /s/ Dominick Capozzola
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10 *Attorneys for Defendant SimplexGrinnell LP*
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1 **ATTESTATION**

2 Pursuant to General Order 45(X), I attest that concurrence in the filing of this document has
3 been obtained from each of the other signatories.

4
5 Dated: July 31, 2013

By: /s/ Dominick Capozzola
6 Dominick C. Capozzola
7 OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.
Attorneys for Defendant

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1 **[PROPOSED] ORDER**

2 Pursuant to the Stipulation of the parties and GOOD CAUSE APPEARING, IT IS SO
3 ORDERED.

4 DATED: July 31, 2013

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Honorable Jon S. Tigar
6 United States District Court Judge

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